

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79907 of 2019

Arising Out of PS. Case No.-289 Year-2019 Thana- NAANPUR District- Sitamarhi

MD. NAKIB Son of Late Md. Sabir R/o Village- Singhachauri, P.S.- Nanpur,
District- Sitamarhi.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Advocate

For the Opposite Party/s : Mr.

CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 05-12-2019 Heard learned counsel for the petitioner. No one appears on behalf of the State.

The petitioner is seeking anticipatory bail in connection with Nanpur P.S. Case No. 289/2019 registered under Sections 341, 323, 354, 504, 506/34 of the Indian Penal Code.

Learned counsel for the petitioner submits that in the present case except the allegation under Section 354 I.P.C. all other sections areailable. It is his submission that in the facts of the present case it may be found that both the parties are agnates, they are neighbour and co-villagers and in fct the informant has herself alleged that while she was scolding the mentally sick boy namely Saif Ali who is likely a mad person, this petitioner came there, the allegation is



that he abused the informant and gave her a slap and in the process her cloths got torn. It is submitted that the mentally sick boy is the nephew of this petitioner and while the informant was beating him this petitioner being agnate and co-villager intervened and tried to save the mentally sick boy and being aggrieved by that this false allegation has been made against the petitioner.

Considering the facts and circumstances and the nature of allegations and the submissions as also the relationship between the parties, this court directs that in the event of his arrest/surrender before the court below within a period of four weeks, let the above-named petitioner be enlarged on bail furnishing bail bond of Rs. 15,000/- (Rupees Fifteen Thousand only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri at Sitamarhi, in connection with Nanpur P.S. Case No. 289/2019, subject to condition as laid down under Section 438(2) of the Cr.P.C. i.e.

(i) a condition that the person shall make himself available for interrogation by a police officer as and when required;



(ii) a condition that the person shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer;

(iii) a condition that the person shall not leave India without the previous permission of the Court.

(Rajeev Ranjan Prasad, J)

Rajeev/-

U		T	
---	--	---	--

